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OFFICIAL**FACSIMILE TRANSMITTAL SHEET &
CERTIFICATE OF TRANSMISSION UNDER 37 CFR §1.8**

**TO: Mail Stop AF
Commissioner of Patents
United States Patent and Trademark Office
Attn: L.S. Channavajjala**

Fax No. (703) 872-9306
Phone No. (703) 308-2438

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on March 22, 2004, to the above-identified facsimile number.

M. Dressman (Signature)

FROM: Marianne Dressman
Fax No. (513) 626-1355
Phone No. (513) 626-0673

Listed below are the item(s) being submitted with this Certificate of Transmission:

- 1) Request for Continued Examination (RCE) + 1 copy
- 2) Transmittal for Response, including Request for 3-month extension of time, + 1 copy;
- 3) Amendment (5 pages);

Number of Pages Including this Page: 10

Inventor(s): Sanjeev Midha, et al.
S.N.: 09/821,942
Filed: 3/30/01
Conf. No.: 8169
Case: 8246

Please type a plus sign (+) inside this box → [+]

PTO/SB/30 (08-03)

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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+

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/821,942
	Filing Date	03/30/2001
	First Named Inventor	Sanjeev Midha
	Group Art Unit	1615
	Examiner Name	L.S. Channavajjala
	Attorney Docket Number	8246
	Confirmation Number	8169

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ii. ☐ Other _____
 - b. Enclosed
 - i. ☒ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of ____ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(l) required)
 - b. ☐ Other _____
3. **Fees** The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.
- ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **16-2480**.
- i. ☒ RCE fee required under 37 C.F.R. §1.17(e)
 - ii. ☒ Extension of time fee (37 C.F.R. §§1.136 and 1.17)
 - iii. ☐ Suspension of action fee under 37 C.F.R. 1.17(i)
 - iv. ☐ Other _____

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME (Print/Type)	Marianne Dressman	Reg. No. (Attorney/Agent) 42,498
SIGNATURE	<i>M. Dressman</i>	DATE March 22, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

NAME (Print/Type)	Marianne Dressman
SIGNATURE	<i>M. Dressman</i>
DATE March 22, 2004	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send Fees and Completed forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

(Revised for P&G use 8/28/2003)

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	Group Art Unit	1615
	Examiner Name	L.S. Channavajjala
	Attorney Docket Number	8246
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i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

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iii. ☐ Suspension of action fee under 37 C.F.R. 1.17(i)

iv. ☐ Other _____

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED		
NAME (Print/Type)	Marianne Dressman	Reg. No. (Attorney/Agent) 42,498
SIGNATURE	<i>M. Dressman</i>	DATE March 22, 2004
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NAME (Print/Type)	Marianne Dressman	
SIGNATURE	<i>M. Dressman</i>	DATE March 22, 2004

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(Revised for P&G use 8/28/2003)

IN THE UNITED STATES PATENT & TRADEMARK OFFICE
RESPONSE/AMENDMENT

Case Docket No. 8246

Mail Stop Non-Fee Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a RESPONSE/AMENDMENT for the patent application:

Inventor(s): Sanjeev Midha et al.

Serial No. 09/821,942

Confirmation No. 8169

Filed March 30, 2001

:

:

:

Group Art Unit : 1615

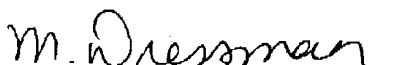
Examiner : L. S. Channavajjala

Title: Leave-in Hair Cosmetic Compositions for Enhancing Volume Containing Fluid-Encapsulated, Flexible Microspheres

1. ☒ No additional claims fee is known to be required.
2. ☐ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA*	RATE	FEE
TOTAL	* 21	MINUS	** 23	= 0	x \$18 =	\$ --
INDEP.	* 3	MINUS	*** 4	= 0	x \$80 =	\$ --
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$270 =	\$ --
TOTAL						\$0.00

3. ☒ The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated September 23, 2003 in the above-identified application to preserve pendency of said application. The processing fee under 37 CFR §1.17 has been determined as follows: \$930.00 for a 3-month extension of time.
4. The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
 - a. ☒ Any patent application processing fees under 37 CFR §1.16.
 - b. ☒ Any patent application processing fees under 37 CFR §1.17.
5. The Director is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.



Marianne Dressman
Attorney for Applicants
Registration No. 42,498
Tel. No. (513) 626-0673

March 22, 2004
Customer No. 27752

IN THE UNITED STATES PATENT & TRADEMARK OFFICE
RESPONSE/AMENDMENT

Case Docket No. 8246

Mail Stop Non-Fee Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a RESPONSE/AMENDMENT for the patent application:

Inventor(s): Sanjeev Midha et al.

Serial No. 09/821,942

Confirmation No. 8169

Filed March 30, 2001

:

:

:

Group Art Unit : 1615

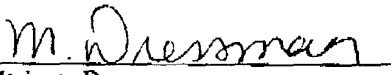
Examiner : L. S. Channavajjala

Title: Leave-in Hair Cosmetic Compositions for Enhancing Volume Containing Fluid-Encapsulated, Flexible Microspheres

1. ☒ No additional claims fee is known to be required.
2. ☐ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA*	RATE	FEE
TOTAL	* 21	MINUS	** 23	= 0	x \$18 =	\$ --
INDEP.	* 3	MINUS	*** 4	= 0	x \$80 =	\$ --
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$270 =	\$ --
					TOTAL	\$0.00

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 - b. ☒ Any patent application processing fees under 37 CFR §1.17.
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Marianne Dressman
Attorney for Applicants
Registration No. 42,498
Tel. No. (513) 626-0673

March 22, 2004
Customer No. 27752

Appl. No. 09/821,942
Amdt. Dated March 22, 2004
Reply to Office action of February 17, 2004

OFFICIAL

Case 8246

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :
Midha et al., :
Serial No. 09/821,942 : Group Art Unit : 1615
Confirmation No. 8169 :
Filed March 30, 2001 : Examiner : L. S. Channavajjala

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MAR 23 2004

For Leave-In Hair Cosmetic Compositions For Enhancing :
Volume, Containing Fluid-Encapsulated, Flexible
Microspheres

AMENDMENT UNDER 37 CFR §1.111

Honorable Commissioner of Patents

Washington, D.C. 20231

Dear Sir:

This paper is being filed in response to the Advisory Office Action mailed February 17, 2004. Reconsideration is respectfully requested in light of the amendments and remarks contained herein.

A petition for a three-month extension of time is attached hereto.

The pending claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.